

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
Nashville Division**

L.W., by and through her parents and next friends, Samantha Williams and Brian Williams, et al.,

*Plaintiffs,*

and

UNITED STATES OF AMERICA,

*Plaintiff-Intervenor,*

v.

JONATHAN SKRMETTI, in his official capacity as the Tennessee Attorney General and Reporter, et al.,

*Defendants.*

**Civil No. 3:23-cv-00376**

**Judge Richardson**

**Judge Newbern**

**JOINT MOTION TO POSTPONE INITIAL CASE MANAGEMENT CONFERENCE**

Pursuant to Federal Rule of Civil Procedure (“Rule”) 6(b) and Local Rules 6.01 and 16.01, the Private Plaintiffs, Plaintiff-Intervenor the United States of America, and Defendants (the “Parties”) hereby submit this joint motion, requesting that the Court adjourn the upcoming case management conference, currently scheduled for June 20, 2023 [ECF No. 4], until approximately 30–45 days after the Court has ruled on the Private Plaintiffs’ and the United States’ respective motions for preliminary injunctive relief. This request is for good cause, and the Parties state as follows in support of the request:

1. The Private Plaintiffs’ motion for a preliminary injunction [ECF No. 21] is fully-briefed and is now pending before the Court. The United States’ motion for a preliminary injunction [ECF No. 40] also is fully briefed. The Court has indicated it expects to rule on these pending motions on or before July 1, 2023, the effective date of Tenn. Code Ann. § 68-33-101, *et seq.*

2. Also, Defendants' responsive pleadings to the complaints filed by the Private Plaintiffs and the Plaintiff-Intervenor are not due until 21 days after the Court issues its ruling on the pending motions for preliminary injunction [ECF Nos. 104, 123].

3. The Parties anticipate that the overall schedule for the case may be significantly impacted by the Court's decision on the pending motions for preliminary injunction. For example, the Parties' views on the appropriate timing for discovery, dispositive motions, and trial may be highly dependent on the Court's ruling.

4. Under these circumstances, the Parties believe it would be most efficient to have the opportunity to first digest the Court's ruling on the motion(s) for preliminary injunction, and then conduct a Rule 26(f) conference and negotiate an appropriate case management order to present to the Court for approval.

5. Consequently, the Parties respectfully request that the initial case management conference, currently scheduled for June 20, 2023, be adjourned for 30–45 days to a date in late July or early August.

6. The Parties respectfully submit that this adjournment will not inappropriately or excessively delay the proceedings or cause unfair prejudice. As this Court is aware, discovery has already commenced in this case. A protective order has been entered, and both Private Plaintiffs and Defendants have served document requests and produced documents. The Parties have already appeared twice before the Court to discuss and resolve discovery-related issues. On May 17, 2023, the Court conducted a discovery conference during which, and pursuant to an order issued after the conference, the Court instructed the Parties to meet and confer regarding guidelines and procedures for various categories of discovery [ECF No. 109]. On May 30, 2023, the Court conducted a follow-up discovery conference to discuss the Parties' proposals and address

discovery disputes that had arisen. The Court issued an order on June 2, 2023, resolving the Parties' outstanding discovery disputes and setting forth procedures for various categories of discovery [ECF No. 147]. And the Parties remain in communication regarding their pending discovery requests. As such, it is not anticipated that the 30–45 day adjournment requested herein will have any material adverse effect on the timely prosecution of this action.

Dated: June 13, 2023

/s/ Stella Yarbrough

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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 13, 2023, the undersigned filed the foregoing Joint Motion to Postpone Case Management Conference via this Court's electronic filing system, which sent notice of such filing to the following counsel of record:

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